

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 2
FOR THE REGULAR MEETING OF
MONDAY, AUGUST 9, 2004 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCE TO BE INTRODUCED:

- * ITEM-S406: Amendment No. 2 to the Agreement with Tetra Tech for Sewer Pump Stations 18 and 19 Rehabilitation/Replacement Projects.

(See memorandum from Patti Boekamp dated 7/22/2004. Pacific Beach Community Area. District-2.)

TODAY’S ACTION IS:

Introduce the following ordinance:

(O-2005-10 Cor. Copy)

Introduction of an Ordinance authorizing the City Manager to execute Amendment No. 2 to the Agreement with Tetra Tech, for additional engineering consulting services for Sewer Pump Stations 18 and 19 Rehabilitation/Replacement Project, in an amount not to exceed \$97,845 and under the terms and conditions set forth in the Agreement.

NATURAL RESOURCES AND CULTURE COMMITTEE’S RECOMMENDATION:

On 8/4/2004, NR&C voted 4 to 0 to approve. (Councilmembers Lewis, Frye, Madaffer, and Inzunza voted yea. Councilmember Zucchet not present.)

ADOPTION AGENDA, CONSENT ITEMS (Continued)**ORDINANCE TO BE INTRODUCED: (Continued)**

* ITEM-S406: (Continued)

SUPPORTING INFORMATION:

On August 2, 1999 the City entered into an agreement with Tetra Tech for \$100,800 to provide engineering services for the pre-design of Sewer Pump Stations 18 and 19. On August 7, 2000, the City Council authorized Amendment Number 1 to the contract with Tetra Tech to include engineering services for the design of both pump stations. This amendment brought the total contract amount to \$760,206 (Document RR-293649). The design scope includes the rehabilitation of Sewer Pump Station 18 located at 597 Loring Street in Pacific Beach and the replacement of Sewer Pump Station 19 located at 201 Bird Rock Avenue in La Jolla.

During the design stage, City staff was required to acquire several permits. A Site Development Permit, Building Permit, and Coastal Development Permit from the California Coastal Commission were required. Permit assistance was included in the scope of work with the consultant, however, the work to obtain the permits was more than anticipated. The process of acquiring each permit required several meetings and changes to both projects. As a result of the changes, the consultant anticipates there will also be an additional scope to respond to contractor requests for information during construction. This second amendment is for \$97,845, \$65,210 for Sewer Pump Station 19 and \$32,635 for Sewer Pump Station 18, to cover additional costs for permitting and construction support.

Council Action is required to approve Amendment Number 2 to the contract agreement with Tetra Tech for an additional amount not to exceed \$97,845. Funding for this purpose is available from Sewer Fund 41506 CIP-46-106.0, Annual Allocation - Sewer Pump Station, which was previously authorized on Document RR-297815 and RR-297851 on April 7, 2003 and April 21, 2003, respectively.

FISCAL IMPACT:

The consultant agreement previously authorized was for \$760,206. The second amendment will authorize an additional compensation not to exceed \$97,845 for consulting services. Funding of \$97,845 for this purpose is available from Sewer Fund 41506, CIP-46-106.0, Annual Allocation- Sewer Pump Stations, which was previously authorized on Resolution Nos. 297851 and 297815. The total estimated cost for Pump Station 18 is \$3,634,705 and for Sewer Pump Station 19 is \$4,755,061, which includes design inspection and construction.

Mendes/Boekamp/HR

Aud. Cert. 2500060.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-S407: In the matter of Modifying Prior Direction to the City Attorney Concerning the Impartial Analysis for the Ballot Measure Regarding Composition of the Retirement Board.

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-169)

Declaring that the Council of the City of San Diego clarifies its prior action to be consistent with the intention of the Council and directs the City Attorney to interpret the qualification criteria for appointment to preclude a stockbroker or bond broker from being eligible to serve on the Retirement Board only if that stockbroker or bond broker is actively engaged in doing business with the City of San Diego or the San Diego City Employees' Retirement System.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-S408: California Public Utilities Commission's (CPUC) Cost Allocation of Energy Contracts Purchased by State's Department of Water Resources During the Recent Energy Crisis.

(See City Manager Report CMR-04-185.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-168)

Opposing proposed decisions by the California Public Utilities Commission (CPUC) that are based on percentage allocations of the DWR Contract costs among the utilities based on percentages, contract assignment, or "cost follows contract" methodologies;

Supporting SDG&E request to the CPUC that DWR Contract costs should be equitably allocated among the utilities on the basis of use, as they have been in interim allocations to date.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-S409: Request Proposal for Acquisition of Fire and Rescue Helicopter.

(See City Manager Report CMR-04-184.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-172)

Directing the City Manager to issue a Request for Proposal (RFP) to companies in the business of acquiring, completely refurbishing and overhauling, upgrading, and delivering one (1) completed Bell 212HP helicopter configured for emergency multi-missions;

Directing the City Manager to return to the City Council with a recommendation to lease-purchase one (1) helicopter from a vendor selected through the City's RFP process utilizing the City's "Equipment and Vehicle Financing Program" over a ten (10) year payment option;

Authorizing the City Auditor and Comptroller to add 1.09 Pilot and 0.33 Chief Maintenance Engineer to the Fiscal Year 2005 annual personnel appropriation within the Fire-Rescue Department using the existing Fiscal Year 2005 non-personnel expense budget.

PUBLIC NOTICE:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-S410: Settlement Claim for a Road Traffic Accident with Bobbie Jo Ayala.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-129)

A Resolution approved by the City Council in Closed Session on Monday, August 2, 2004 by the following vote: Peters-yea; Atkins-yea; Lewis-yea; Frye-yea; Madaffer-yea; Inzunza-yea; Mayor-yea. Councilmembers Zucchet and Maienschein not present.

Authorizing the City Manager to pay the total sum of \$525,000 to Bobbie Jo Ayala and her attorney, in the settlement of each and every claim by Bobbie Jo Ayala against the City, its agents and employees, resulting from injuries received in a road traffic accident on January 18, 2002.

Authorizing the City Auditor and Comptroller to issue two checks, one made payable to Bobbie Jo Ayala and her attorney of record Thomas Gniatkowski in the amount of \$525,000, and one made payable to Alvord Unified School District in the amount of \$25,000. This constitutes the complete and final settlement of the personal injury claim of Bobbie Jo Ayala et al. against the City of San Diego, its agents and employees, as a result of an incident, which occurred on January 18, 2002.

Aud. Cert. 2500069 and 2500070.